

**To: The Deputy Leader and Members of the
Planning and Development Board**

**(Councillors Simpson, Reilly, Bell, L Dirveiks,
Henney, Humphreys, Jarvis, Jenns, Jones,
Morson, Moss, Phillips, Smitten, Sweet and
A Wright)**

For the information of other Members of the Council

This document can be made available in large print and electronic accessible formats if requested.

For general enquiries please contact David Harris, Democratic Services Manager, on 01827 719222 or via e-mail - davidharris@northwarks.gov.uk.

For enquiries about specific reports please contact the officer named in the reports

PLANNING AND DEVELOPMENT BOARD AGENDA

11 JULY 2016

The Planning and Development Board will meet in The Council Chamber, The Council House, South Street, Atherstone, Warwickshire CV9 1DE on Monday 11 July 2016 at 6.30 pm.

AGENDA

- 1 Evacuation Procedure.**
- 2 Apologies for Absence / Members away on official Council business.**
- 3 Disclosable Pecuniary and Non-Pecuniary Interests**

- 4 **Minutes of the meetings of the Planning and Development Board held on 7 March, 11 April, 16 May and 13 June 2016**, copies herewith, to be approved as a correct record and signed by the Chairman.

**ITEMS FOR DISCUSSION AND DECISION
(WHITE PAPERS)**

- 5 **Budgetary Control Report 2016/2017 - Period Ended 30 June 2016**
- Report of the Assistant Director (Finance and Human Resources)

Summary

The report covers revenue expenditure and income for the period from 1 April 2016 to 30 June 2016. The 2016/2017 budget and the actual position for the period, compared with the estimate at that date, are given, together with an estimate of the out-turn position for services reporting to this Board.

The Contact Officer for this report is Nigel Lane (719371).

- 6 **Planning Applications** – Report of the Head of Development Control.

Summary

Town and Country Planning Act 1990 – applications presented for determination

The Contact Officer for this report is Jeff Brown (719310).

- 7 **Tree Preservation Order, Hill Top House (Formerly Timbertops), Mill Lane, Fillongley**– Report of the Head of Development Control.

Summary

The Board is invited to consider the confirmation of the Tree Preservation Order.

The Contact Officer for this report is Christina Fortune (719481)

JERRY HUTCHINSON
Chief Executive

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

7 March 2016

Present: Councillor Lea in the Chair.

Councillors Bell, L Dirveiks, Henney, Humphreys, Jarvis, Jenns, Jones, Morson, Moss, Phillips, Simpson, Smitten, Sweet and A Wright

Councillors Clews, Davey, Davis, Farrell and Waters were also in attendance. With the consent of the Chairman, Councillors Clews and Davis spoke on Minute No 65 Planning Applications (Application No 2015/0348 - Land at Crown Stables, Nuneaton Road, Mancetter).

63 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillor Humphreys declared a non-pecuniary interest in Minute No 65 Planning Applications (Application No 2015/0922 – Barge and Bridge PH, 79 Coleshill Road, Atherstone), left the meeting and took no part in the discussion thereon.

64 **Minutes**

The minutes of the meetings of the Board held on 14 December 2015, 11 January 2016 and 8 February 2016, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

65 **Planning Applications**

The Head of Development Control submitted a report for the consideration of the Board. Details of correspondence received since the publication of the agenda is attached as a schedule to these minutes.

Resolved:

- a **That Application No 2015/0348 (Land at Crown Stables, Nuneaton Road, Mancetter) be refused for the following reasons**

“1. Policy NW10(9) of the Core Strategy 2014 requires all development to avoid and to address unacceptable impacts upon neighbouring amenities through amongst other things, fumes and other pollution. The Council is not satisfied that this requirement has been

met. There is a residential property within 100 metres of the proposed site and opposite the entrance to the site. It is considered that there is a risk of unacceptable odour emissions occurring from the development which will have a detrimental impact on the amenity of the occupiers of this property.

2. The proposed development is located in an area of potential archaeological interest at Mancetter. To the north east of the application site archaeological deposits associated with extensive Romano-British settlement have been identified. These remains are of national importance and are protected as a Scheduled Ancient Monument. To the north west of the site are the remains of a sequence of fortresses, built by the Roman army. To the west of the site an area of deserted medieval settlement has been identified as well as an area of early medieval iron production. Policies NW10(10), NW12 and NW14 of the Core Strategy 2014 require all development to sustain, protect, conserve and enhance the historic environment. The Council is not satisfied that the risk to the setting of these assets has been fully explored, such that the proposal cannot be said to have met the requirements of these policies.”

[Speakers Trevor Hopkins and Alex Lawrence]

- b That Application No 2015/0222 (Barge And Bridge PH, 79, Coleshill Road, Atherstone, CV9 2AB) be refused for the following reasons

- “1. It is considered that the proposal does not demonstrate a high quality of design that positively improves the character, appearance and environmental quality of this part of Atherstone. This is because of the scale and mass of the proposed built form, its prominent and dominant location in the street scene, the location close to the street and its proximity to Listed Buildings and the canal. It thus does not accord with Policies NW10(10), NW12 and NW14 of the North Warwickshire Core Strategy 2014.
2. It is considered that the proposal does not provide safe vehicular access or sufficient parking such that it does not accord with Policy NW10(6) of the North Warwickshire Core Strategy 2014.”

[Speaker Judy Vero]

- c That having been withdrawn, Application No 2015/0585 (Hill Top Farm, Church Lane, Corley, CV7 8DA) be not determined; and
- d That in respect of Application No 2016/0091 (Moor Farm Stables, Wall Hill Road, Corley, Coventry, CV7 8AP), a site visit be undertaken prior to the determination.

66 **Tree Preservation Order - Arley**

The Board was invited to consider a representation received in respect of the making of a Tree Preservation Order relating to a number of trees on land adjacent to 60 Spring Hill, Arley.

Resolved:

That consideration of the report be deferred for further information.

[Speaker William Harris]

J Lea
Chairman

**Planning and Development Board
7 March 2016
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
5/1	PAP/2015/0348	Site Visit Note	Note	29/2/16
		Dr Holdaway	E-mails	29/2/16
5/2	PAP/2015/0222	Arragon Construction Ltd	Letter	18/2/16

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

11 April 2016

Present: Councillor Lea in the Chair.

Councillors Bell, L Dirveiks, Henney, Humphreys, Ingram, Jarvis, Jenns, Jones, Morson, Moss, Phillips, Simpson, Smitten and Sweet

An apology for absence was received from Councillor A Wright (Substitute Councillor Ingram)

Councillors Chambers, Davey, Farrell, Ferro, Hanratty and Waters were also in attendance. With the consent of the Chairman, Councillor Farrell spoke on Minute No 68 Planning Applications (Application No 2015/0525 - Units 10 and 10a, Station Road, Station Road Industrial Estate, Coleshill, B46 1HT) and Councillor Chambers on Minute No 68 Planning Applications (Application No 2015/0745 - Land south of Berry House, Gypsy Lane, Dordon).

67 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillor Humphreys declared a non-pecuniary interest in Minute No 68 Planning Applications (Application No 2015/0344 - Beech House, 19 Market Street, Atherstone, Application No 2015/0284 - Post Office Yard, rear of 100 Long Street, Atherstone, Applications No 2015/0375 and 2015/0283 - Bank Gardens, rear of 94/96 Long Street, Atherstone and Application No 2015/0285 - Land rear of 108 Long Street, Atherstone), left the meeting and took no part in the discussion thereon.

68 **Planning Applications**

The Head of Development Control submitted a report for the consideration of the Board. Details of correspondence received since the publication of the agenda is attached as a schedule to these minutes.

Resolved:

- a **That Application No 2015/0144 (Hollybank Farm, No Mans Heath Lane, Austrey, CV9 3EW) be approved subject to the conditions set out in the report to Board in October 2015 with the exception that Condition 5 be omitted;**
- b **That in respect of Application No 2015/0344 (Beech House, 19 Market Street, Atherstone), Application No 2015/0284 (Post Office Yard, rear of 100 Long Street, Atherstone), Applications No 2015/0375 and 2015/0283 (Bank Gardens,**

rear of 94/96 Long Street, Atherstone) and Application No 2015/0285 (Land rear of 108 Long Street, Atherstone) the Council welcomes the change in approach in respect of these proposals and thus wishes to engage with the applicant in order to further discuss the repairs to Beech House and the design and appearance of the enabling development. To this end the Council's two Design Champions and two local Members meet with the applicant and report back to the Board, when appropriate, such that the Board can then determine the applications.

- c That Application No 2015/0525 (Units 10 and 10a, Station Road, Station Road Industrial Estate, Coleshill, B46 1HT) be approved subject to the following
- i) Amended condition 3 - "3 No deliveries or collections from the site shall be made other than between 0700 and 2200 hours on any day Mondays to Saturdays inclusive and between 1000 and 1600 on Sundays, unless a Delivery Management Plan has first been submitted to and approved in writing by the Local Planning Authority."
 - ii) Conditions 16 and 17 be deleted; and
 - iii) Additional Condition – "In the event that Japanese Knotweed is found on the site, the full details of the measures to be taken to remove it shall be submitted to and approved in writing by the Local Planning Authority."

[Speaker Robin Williams]

- d That consideration of Application No 2015/0680 (Atherstone College, Ratcliffe Road, Atherstone, CV9 1LF) be deferred;

[Speaker Dr Purnell-Mullick]

- e That provided there is no objection from the Highway Authority, Application No 2015/0699 (31 Plough Hill Road, Chapel End) be approved subject to the conditions set out in the report of the Head of Development Control;

- f That consideration of Application No 2015/0679 (Land north east of, The Beanstalk, Gypsy Lane, Birch Coppice Distribution Park, Dordon) be deferred for a site visit;

[Speakers Damien Holdstock and Kevin Ashfield]

- g That consideration of Application No 2015/0745 (Land south of Berry House, Gypsy Lane, Dordon) be deferred for a site visit.**

[Speaker Andy Williams]

- 69 High Hedge Remedial Notice Tudor Cottage, Trinity Road, Kingsbury**

The Head of Development Control reported on the background and action taken in respect of a High Hedge Remedial Notice at Tudor Cottage, Trinity Road, Kingsbury. The Board was asked to agree a suggested course of action.

Resolved:

That the Council considers that it is not in the public interest to pursue this matter for the reasons set out in the report of the Head of Development Control.

[Speaker Androulla Alexandrou]

- 70 Tree Preservation Order – 60 Spring Hill, Arley**

This matter was deferred at the last meeting of the Board to enable a review of the process. The Head of Development Control highlighted the process that had been undertaken and the Board was invited to consider a representation received in respect of the making of a Tree Preservation Order relating to a number of trees on land adjacent to 60 Spring Hill, Arley.

Resolved:

That the Tree Preservation Order made in respect of 1 Turkey Oak, 6 English Oaks and a group of 8 Scots Pine trees, at 60 Spring Hill, Arley be confirmed without modification.

- 71 Technical Consultation on the Implementation of Planning Changes**

The Head of Development Control reported that the Council had been invited to respond to a Government consultation on a series of proposed substantial procedural changes to the planning system. The Board was asked to endorse a number of suggested responses.

Resolved:

That, together with the issues raised at the meeting, the Council responds to the consultation paper as set out in the report of the Head of Development Control.

72 Corporate Plan Targets 2015/16

The Head of Development Control reported on the action taken in respect of a number of targets as set out in the 2015/16 Corporate Plan.

Resolved:

That the report be noted.

73 Exclusion of the Public and Press

Resolved:

That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Schedule 12A to the Act.

74 Breach of Planning Control, Hurley

The Head of Development Control reported on an alleged breach of planning control at Knowle Hill, Hurley and the Board was asked to agree a suggested course of action.

Resolved:

The Council does not consider it expedient to issue an Enforcement Notice in this case for the reasons stated in the report of the Head of Development Control.

75 Breach of Planning Control, Coleshill

The Head of Development Control reported on an alleged breach of planning control at 21 Coventry Road, Coleshill and the Board was asked to agree a suggested course of action.

Resolved:

That in respect of land at 21 Coventry Road, Coleshill, the Solicitor to the Council be authorised to issue an Enforcement Notice in relation to unauthorised building works as set out in the report of the Head of Development Control and that the compliance period be six months.

76 Tree Preservation Order, Fillongley

The Board was invited to consider the making of a Tree Preservation Order in respect of a number of trees on land at Hill Top (formerly Timbertops), Mill Lane, Fillongley.

Resolved:

That a Tree Preservation Order be made with immediate effect, in respect of the Weeping Willow (T1), Blue Atlantic Cedar (T2), Birches (T3, T4, T5, T6 and T9, T10, T11 and T13), Crack Willow (T7), Leyland Cyprus (T12) and the tree (T8) Bird Cherry, all located at Land At Hill Top (formerly Timbertops), Mill Lane, Fillongley, for the reasons given in the report of the Head of Development Control, and that any representations received be referred to the Board for it to consider whether to make the Order permanent.

J Lea
Chairman

**Planning and Development Board
11 April 2016
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
4/72	PAP/2015/0525	Aldi	Representation	11/4/16
		Turley	Representation	6/4/16
		Turley	Plans	8/4/16
4/85	PAP/2015/0680	Mrs Conroy	Representation	6/4/16
4/109	PAP/2015/0745	WCC Highways	Consultation	6/4/16
4/109	PAP/2015/0679	I M Properties	Representation	8/4/16

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

16 May 2016

Present: Councillor Simpson in the Chair.

Councillors Bell, L Dirveiks, Henney, Ingram, Jarvis, Jenns, Jones, Morson, Moss, Phillips, Reilly, Smitten, Sweet and A Wright

An apology for absence was received from Councillor Humphreys (substitute Councillor Ingram)

Councillors Chambers, Farrell, Smith and M Stanley were also in attendance. With the consent of the Chairman, Councillor Chambers spoke on Minute No 2 Planning Applications (Application No 2015/0679 - Land north east of, The Beanstalk, Gypsy Lane, Birch Coppice Distribution Park, Dordon and Application No 2015/0745 - Land south of Berry House, Gypsy Lane, Dordon) and Councillor Smith spoke on Minute No 2 Planning Applications (Application No 2016/0091 - Moor Farm Stables, Wall Hill Road, Corley).

Before the commencement of business Members recorded a vote of thanks to former Chairman Councillor Joan Lea for her service to the Board.

1 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillor Simpson declared a non-pecuniary interest in Minute No 2 Planning Applications (Application No 2016/0091 - Moor Farm Stables, Wall Hill Road, Corley) left the meeting and took no part in the discussion thereon. During the consideration of this matter Councillor Reilly was in the Chair.

Councillor Bell declared a pecuniary interest in Minute No 2 Planning Applications (Application No 2016/0199 (Land to the rear of 145, Coleshill Road, Hartshill, CV10 0PG) left the meeting and took no part in the discussion thereon.

2 **Planning Applications**

The Head of Development Control submitted a report for the consideration of the Board. Details of correspondence received since the publication of the agenda is attached as a schedule to these minutes.

Resolved:

- a
 - i That provided the phasing as recommended in the conditions attached to Applications No 2015/0284 and 2015/0285 is reversed and the applicant first entering in to a Section 106 Agreement, Application No 2015/0344 (Beech House, 19 Market Street, Atherstone), Application No 2015/0284 (Post Office Yard, rear of 100 Long Street, Atherstone), Applications No 2015/0375 and 2015/0283 (Bank Gardens, rear of 94/96 Long Street, Atherstone) and Application No 2015/0285 (Land rear of 108 Long Street, Atherstone) be approved subject to the conditions set out in report of the Head of Development Control; and
 - ii That the content of the Section 106 Agreement be delegated to the Head of Development Control in consultation with the Chairman, Vice Chairman, Opposition Spokesperson and two local Ward Members.

[Speaker Judy Vero]

- b That Application No 2015/0679 (Land north east of, The Beanstalk, Gypsy Lane, Birch Coppice Distribution Park, Dordon) be approved subject to the conditions set out in the report of the Head of Development Control and to the following additional condition

“There shall be no occupation of the building hereby approved for business purposes until an acoustic fence has been constructed along the northern boundary of the site, the details of which shall first have been submitted to and approved in writing. Only the approved details shall then be implemented on site to the written satisfaction of the Local Planning Authority.”

[Speaker Karen Mulvey]

- c That provided the applicant first enters in to a Section 106 Agreement relating to the provision of an off-site housing contribution as set out in the report of the Head of Development Control, Application No 2015/0745 (Land south of Berry House, Gypsy Lane, Dordon) be approved subject to an additional condition relating to an acoustic fence and subject to the landscaping detail required by the relevant condition being the referred for consultation purposes to local residents;

[Speakers Karen Mulvey and Andy Williams]

d That provided the applicant first enters in to a Section 106 Agreement relating to the provision of an off-site housing contribution as set out in Appendix A to the report of the Head of Development Control, Application No 2015/0680 (Atherstone College, Ratcliffe Road, Atherstone, CV9 1LF) be approved subject to the conditions set out in the said report. In addition the Local Development Framework Sub-Committee is recommended to continue its work with health providers to ensure sufficient commitment and that the Practice be written to, to ask what its plans are, given the likely growth in Atherstone;

e That consideration of Application No 2016/0011 (Southfields Farm, Packington Lane, Coleshill, B46 3EJ) and Application No 2016/0029 (Southfields Farm, Packington Lane, Coleshill, B46 3EJ) be deferred for a site visit and for clarification to be sought on the detailed information as submitted, particularly the likely traffic movements;

[Speakers Anthony Mayell, Gary Stevenson and John Plumb]

f That Application No 2016/0025 (19 Willow Walk, Old Arley, CV7 8NY) be approved subject to the conditions set out in the report of the Head of Development Control;

g That provided the applicant first enters in to a Section 106 Agreement as set out in the report of the Head of Development Control, Application No 2016/0042 (35, Church Walk, Atherstone, CV9 1AJ) be approved subject to the conditions set out in the said report;

h That in respect of Moor Farm Stables, Wall Hill Road, Corley

i it was noted that Application No 2016/0119 (The Access) was withdrawn prior to the meeting and was therefore not determined;

ii Application No 2016/0119 (The Access), the Solicitor to the Council be authorised to issue an Enforcement Notice requiring the closure of the existing access on a permanent basis and the re-instatement of the hedgerow and planting to an agreed schedule with a compliance period of three months in which to close the access and twelve months to re-instatement of the agreed planting scheme;

iii Application No 2016/0091 (The Building) be refused for the following reasons

"The proposal is considered not to be appropriate development in the Green Belt because it adversely impacts on the openness of the Green Belt and has adverse visual and residential amenity impacts. This is due in particular to its height. The considerations put forward by the applicant are not considered to amount to the very special circumstances of sufficient weight to clearly outweigh the level of harm caused. The proposal does not accord with Policies NW3, NW10, NW12 and NW13 of the Core Strategy 2014"

- iv Application No 2016/0091 (The Building), the Solicitor to the Council be authorised to issue an Enforcement Notice requiring the reduction in height of the whole building by 1.5 metres and that the compliance period be six months; and**
- v the issue of the Notices set out above be held in abeyance and the applicant be informed of the recommendations and invited to meet representatives of the Board with a view to discussing the requirements of the Notices such that the Board can better understand the impact of these on the business and that those representatives report back to the Board for it then to make its determinations.**

[Speakers John Park, Andrew Large and Liz White]

- i That Application No 2016/0097 (51 Pear Tree Avenue, Kingsbury, B78 2LQ) be approved subject to the conditions set out in the report of the Head of Development Control;**
- j That Application No 2016/0122 (Willprint, Keys Hill, Baddesley Ensor, CV9 2DF) be approved subject to the conditions set out in the report of the Head of Development Control;**

[Speakers Alan Guild and Oliver Mitchell]

- k That the receipt of Application No 2016/0199 (Land to the rear of 145, Coleshill Road, Hartshill, CV10 0PG) be noted and Members be invited to undertake a site visit prior to determination.**

3 Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April 2015 - March 2016

The Chief Executive and the Deputy Chief Executive reported on progress with the achievement of the Corporate Plan and Performance

Indicator targets relevant to the Planning and Development Board for April 2015 to March 2016.

Resolved:

That the report be noted.

4 Exclusion of the Public and Press

Resolved:

That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Schedule 12A to the Act.

5 Breaches of Planning Control

The Head of Development Control reported on an alleged breach of planning control on land at Moorwood Quarry, Moorwood Lane, Hartshill and the Board was asked to agree a suggested course of action.

Resolved:

That in respect of the land at Moorwood Quarry, Moorwood Lane, Hartshill the Solicitor to the Council be authorised to issue an Enforcement Notice or Enforcement Notices relating to:

- a The unauthorised change of use of land from a nil use to a mixed use comprising storage within Use Class B8; storage of builders' materials, and the siting of a mobile home, the notice to require the cessation of the unauthorised use of the land;**
- b Unauthorised engineering works to the site access track involving the laying of concrete, over waste concrete posts, together with the formation of a concrete hardstanding and foundation. The notice requiring the digging up/breaking up of the concrete access track, the digging up/ breaking up of the hardstanding and foundation, with the resulting materials from both the access track and hardstanding and foundation to be removed from the site;**
- c Unauthorised storage buildings requiring the demolition of the structures and removal of the resulting materials from the site;**
- d Unauthorised means of enclosure requiring the reduction in the height of the fencing and gates to two metres; and**

e That the compliance period in all cases be six months.

6 Forthcoming Appeals

The Head of Development Control reported on a number of planning appeals that had been lodged and the Board was asked to agree a suggested course of action.

Resolved:

That the Council ensures that it is best represented at all planning appeals and that as a consequence any requests for a supplementary estimate be forwarded to the Executive Board.

M Simpson
Chairman

**Planning and Development Board
16 May 2016
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
4/5	PAP/2015/0344	Atherstone Civic Society	Objection	12/5/16
		Historic England	E-mail	4/5/16
4/104	PAP/2015/0679	Site Visit	Note	5/5/16
	PAP/2015/0745	Site Visit	Note	5/5/16
4/192	PAP/2015/0119	Applicant	E-mail	9/5/16
		Applicant	E-mail	9/5/16
		Warwickshire County Council Highways	Objection	5/5/16
	PAP/2016/0091	Riding for the Disabled Association	Support	11/5/16
4/234	PAP/2016/0122	Mrs Young	Representation	13/5/16

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

13 June 2016

Present: Councillor Simpson in the Chair.

Councillors Bell, Chambers, L Dirveiks, Henney, Humphreys, Jarvis, Jenns, Jones, Morson, Phillips, Reilly, Smitten, Sweet and A Wright

An apology for absence was received from Councillor Moss (substitute Councillor Chambers)

Councillor Davey was also in attendance.

7 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillor Bell declared a non-pecuniary interest in Minute No 11 - Submission of Hartshill Neighbourhood Plan for Public Consultation.

8 **Planning Applications**

The Head of Development Control submitted a report for the consideration of the Board. Details of correspondence received since the publication of the agenda is attached as a schedule to these minutes.

Resolved:

- a **That in respect of Application No 2013/0164 (Homer House, Kingswood Avenue, Corley), planning permission may be implemented without compliance with the associated Section 106 Agreement dated 14 July 2013;**
- b **That in respect of Application No 2015/0350 (Land North Of Manor Barns, Newton Lane, Austrey) be refused for the following reasons**

“The development of this site with up to 23 dwellings would be inappropriate to its location and setting in the village by virtue of its density and consequent built form. This would not accord with Policy NW12 of the Core Strategy 2014 nor with Section 7 of the National Planning Policy Framework 2012.”

[Speakers Diana Davies and Christopher Timothy]

c That having been withdrawn Application No 2015/0587 (Land to the rear of 6-20, Spon Lane, Grendon, CV9 2QG) be not determined;

d That Application No 2015/0691 (Land To The Rear Of 20a Spon Lane, Grendon, CV9 2PD) be approved subject to the amendment of condition 7 to read as follows

“7. No development shall commence on site until a Construction Environmental Management Plan has first been submitted to and approved by the Local Planning Authority in writing. This Plan shall remain in force and its measures shall be fully implemented at all times during the construction of the houses hereby approved.”

[Speaker Serena Baker]

e That Application No 2016/0042 (35, Church Walk, Atherstone, CV9 1AJ) be approved subject to the conditions set out in Appendix A to the report of the Head of Development Control;

f That Application No 2016/0233 (Hartshill School, Church Road, Hartshill, CV10 0NA) be approved subject to the conditions set out in the report of the Head of Development Control; and

g That the report in respect of Application No 2016/0249 (Former Police Station, Park Road/Birmingham Road, Coleshill, Warwickshire, B46 1DJ) be noted and a site visit be undertaken prior to determination.

9 Development Management Plan Policies

The Head of Development Control invited the Board to consider representations received following consultation on the draft Development Management Plan Policies.

Resolved:

a That the report be noted; and

b That a working party be established, consisting of Members from the Planning and Development Board and the Local Development Framework Sub-Committee, to consider the revised Development Management Plan Policies.

10 **Submission of Arley Neighbourhood Plan for Referendum**

The Board was informed of the progress of the Arley Neighbourhood Plan and approval was sought for a formal referendum in accordance with Section 16 of the Neighbourhood Planning (General) Regulations 2012.

Resolved:

That the Arley Neighbourhood Plan be taken forward to referendum.

11 **Submission of Hartshill Neighbourhood Plan for Public Consultation**

The Board was informed of the progress of the submitted Hartshill Neighbourhood Plan and approval was sought to go out for a formal consultation in accordance with Section 16 of the Neighbourhood Planning (General) Regulations 2012.

Resolved:

That the Hartshill Neighbourhood Plan be circulated for a 6 week public consultation.

12 **Certificate of Lawfulness Lake House Bakehouse Lane Nether Whitacre**

The Head of Development Control reported that the applicant had lodged an appeal against the refusal for a certificate of lawfulness at Lake House, Bakehouse Lane, Nether Whitacre and the Board was asked to agree an approach to be taken at the forthcoming Public Inquiry.

Resolved:

That in light of the receipt of legal advice, the Council pursues the ten year rule to the forthcoming appeal as its primary approach, but that it still continues with the alternative four year rule as an alternative.

13 **Annual Performance Report**

The Head of Development Control presented the annual performance report outlining how the service had managed both planning application and breaches of planning control during 2015/16, enabling comparisons with previous years.

Resolved:

That the report be noted and that Officers thanked for their contribution to the work undertaken in North Warwickshire.

14 Exclusion of the Public and Press

Resolved:

That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Schedule 12A to the Act.

15 Proposed Tree Preservation Order - Polesworth

The Head of Development Control reported on a proposed tree Preservation Order at 53 High Street, Polesworth and the Board was asked to agree a suggested course of action.

Resolved:

That a Tree Preservation Order be made in respect of a mature sycamore, a middle aged sycamore, two young common ash and a middle aged English oak at 53 High Street, Polesworth, for the reasons given in the report of the Head of Development Control, and that any representations received be referred to the Board for it to consider when it decides whether to make the Order permanent.

16 The Heart of England Events and Conference Centre, Meriden Road, Fillongley

The Assistant Chief Executive and Solicitor to the Council and the Head of Development Control updated Members on the current position with regard to a number of issues at the Heart of England site in Fillongley.

Resolved:

- a That the report be noted; and**
- b That the owner of the site be invited to meet with Officers and Members to resolve the outstanding matters in a timely manner.**

M Simpson
Chairman

**Planning and Development Board
13 June 2016
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
4/10	PAP/2015/0350	Agent	Correspondence	10/6/2016
4/44	PAP/2015/0587	Mr Reid	Correspondence	3/6/16
		Mr Reid	Correspondence	9/6/16

Agenda Item No 5

Planning and Development Board

11 July 2016

Report of the Assistant Director (Finance and Human Resources)

Budgetary Control Report 2016/2017 Period Ended 30 June 2016

1 Summary

- 1.1 The report covers revenue expenditure and income for the period from 1 April 2016 to 30 June 2016. The 2016/2017 budget and the actual position for the period, compared with the estimate at that date, are given, together with an estimate of the out-turn position for services reporting to this Board.

Recommendation to the Board

That the report be noted and that the Board requests any further information it feels would assist it in monitoring the budgets under the Board's control.

2 Consultation

- 2.1 Councillors Reilly, Simpson and Sweet have been sent an advanced copy of this report for comment. Any comments received will be reported verbally at the meeting.

3 Introduction

- 3.1 Under the Service Reporting Code of Practice (SeRCOP), services should be charged with the total cost of providing the service, which not only includes costs and income directly incurred, but, also support costs relating to such areas as finance, office accommodation, telephone costs and IT services. The figures contained within this report are calculated on this basis.

4 Overall Position

- 4.1 Net expenditure for those services that report to the Planning and Development Board as at 30 June 2016 is a surplus of £16,783 compared with a profiled budgetary position of £41,654; an under spend of £58,437 for the period. Appendix A to this report provides details of the profiled and actual position for each service reporting to this Board, together with the variance for the period. Where possible, the year-to-date budget figures have been calculated with some allowance for seasonal variations in order to give a better comparison with actual figures. Reasons for the variations are given, where appropriate, in more detail below.

...

4.2 **Planning Control**

4.2.1 Income is currently ahead of forecast which is attributable to three large planning applications.

4.3 **Local Land Charges**

4.3.1 Income from Local Land Charges is currently under profile due to the sale of fewer searches.

5 **Performance Indicators**

5.1 In addition to the financial information provided to this Board when the budgets were set in February, performance indicators were included as a means of putting the financial position into context. These are shown at Appendix B.

...

5.2 *Planning Control* - The gross cost of planning applications has reduced due to the increase in the number of applications. The net cost of planning applications has had a greater reduction due to more medium and large applications.

5.3 The gross cost per Land Charge is higher than expected due to the number of searches undertaken being lower than the profiled level by 14%. There has been a smaller change in the net cost per Land Charge due to changes in the mix of searches between full searches and Official Register searches.

6 **Risks to the Budget**

6.1 The key risks to the budgetary position of the Council from services under the control of this Board are:

- The need to hold Public Inquiries into Planning Developments. A supplementary estimate of £80,000 has recently been agreed.
- A change in the level of planning applications received. A fall in applications would lead to a reduction in planning income, whilst an increase in applications increases the pressure on staff to deal with applications in the required timescales.
- The Government requires all planning applications to be dealt with within 26 weeks. If this is not achieved, the costs of the application must be borne by the authority. Whilst the Planning team deal with almost 100% of current applications within this time, there is a potential that some may slip, leading to a decline in the Planning income level.

6.2 A risk analysis of the likelihood and impact of the risks identified above are included in Appendix B.

7 Estimated Out-turn

- 7.1 If planning income continues at the current level, the original estimate of £321,930 will be reduced. However, if the income pattern of last year is repeated, income will reduce later in the year. Given the potential for variation, no changes have been made to the estimated out-turn.
- 7.2 The figures provided above are based on information available at this time of the year and are the best available estimates for this board, and may change as the financial year progresses. Members will be updated in future reports of any further changes to the forecast out turn.

8 Building Control

- 8.1 The Figures provided by the Building Control Partnership indicate that this Council's share of the costs up to 31 May 2016 show a favourable variance.
- 8.2 The approved budget provision for Building Control is £50,000, which should be more than sufficient to cover the full year costs currently estimated by the Partnership. We will continue to liaise with Nuneaton and Bedworth Borough Council to monitor this over the course of the year.

9 Report Implications

9.1 Finance and Value for Money Implications

- 9.1.1 The Council's budgeted contribution from General Fund balances for the 2016/17 financial year of £747,970 is not currently expected to change. Income and Expenditure will continue to be closely managed and any issues that arise will be reported to this Board at future meetings.

9.2 Environment and Sustainability Implications

- 9.2.1 The Council has to ensure that it adopts and implements robust and comprehensive budgetary monitoring and control, to ensure not only the availability of services within the current financial year, but in future years.

The Contact Officer for this report is Nigel Lane (719371).

APPENDIX A

Planning and Development Board

Budgetary Control Report 2016/2017 as at 30 June 2016

Description	Approved Budget 2016/2017	Profiled Budget June 2016	Actual June 2016	Variance	Comments
Planning Control	198,480	24,049	(35,157)	(59,206)	Comment 4.2
Building Control Non fee-earning	65,060	3,765	3,598	(167)	
Conservation and Built Heritage	47,870	14,943	14,930	(13)	
Local Land Charges	1,430	(3,376)	(2,049)	1,327	Comment 4.3
Street Naming & Numbering	9,090	2,273	1,895	(378)	
TOTALS	321,930	41,654	(16,783)	(58,437)	

Original Budget	241,930.00
Supplementary Estimate	
Planning Appeals	80,000.00
Approved Budget	<u><u>321,930.00</u></u>

Performance Indicators for Budgets Reporting to the Planning and Development Board

	Budgeted Performance	Profiled Budgeted Performance	Actual Performance to Date
Planning Control			
No of Planning Applications	900	225	246
Gross cost per Application	£874.92	£780.32	£680.22
Net cost per Application	£220.53	£106.88	-£142.92
Caseload per Planning Officer			
All applications	167	41.7	45.6
Local Land Charges			
No of Searches	530	133	115
Gross cost per Search	£103.00	£82.98	£100.96
Net cost per Search	£2.70	-£25.48	-£17.82

Risk Analysis

	Likelihood	Potential impact on Budget
Need for public enquiries into planning developments	Medium	Medium
Decline in planning applications leading to a reduction in Planning Income.	Low	Medium
Applications not dealt with within 26 weeks, resulting in full refund to applicant.	Low	Medium

Agenda Item No 7

Planning and Development Board

11 July 2016

**Report of the
Head of Development Control**

**Tree Preservation Order
Hill Top House (Formerly
Timbertops)
Mill Lane, Fillongley**

1 Summary

- 1.1 The site has a planning approval PAP/2012/0003, dated 17 September 2012 for a replacement dwelling in this Green Belt location. Two trees were proposed to be removed to enable the development of the replacement dwelling. There was no reason to consider the remaining trees to be at risk at the time. Recently, the owner has cut down a significant number of trees at the rear of the site and has stated an intention to cut down further trees including a very prominent Willow tree at the front boundary of the site. It is therefore considered necessary to protect the remaining trees to prevent imminent risk of felling. This Board agreed to make the Order at its April meeting.
- 1.2 Given the number and significance of the trees on the land associated with the property the County Tree Officer has inspected them and identified that all are worthy of a Tree Preservation Order. The trees are visible from surrounding public land.

Recommendation to the Board

That a Tree Preservation Order be confirmed, in respect of the Weeping Willow (T1), Blue Atlantic Cedar (T2), Birches (T3, T4, T5, T6 and T9, T10 and T11), Crack Willow (T7), Leyland Cypress (T12), Bird Cherry (T8) and Horse Chestnut (T13); all located at Land At Hill Top (formerly Timbertops), Mill Lane, Fillongley, for the reasons given in this report.

- 1.3 The Council's Tree Officer was consulted following receipt of complaints from the public, and an assessment was undertaken on 27 November 2015. A temporary preservation order took provisional effect on 7 January 2016. A detailed survey and a further assessment were undertaken by the Council's Tree Officer on 29 February 2016 and the temporary protection order was reissued 26 April 2016 to include one additional tree (T13) and confirm the species of another one (T8).

- 1.4 At the time of the Forestry Officer's initial inspection it was identified that a significant number of trees that were considered to have amenity value had been felled. Local residents raised concerns that further trees on the site were at risk of being felled by the owner.
- 1.5 A report was presented to the Board in April 2016 that a Tree Preservation Order be made, in respect of the Weeping Willow (T1), Blue Atlantic Cedar (T2), Birches (T3, T4, T5, T6 and T9, T10 and T11), Crack Willow (T7), Leyland Cypress (T12), Bird Cherry (T8) and Horse Chestnut (T13) and that any representations received be referred to the Board for it to consider whether to make the Order permanent. The Order was made on 11 April 2016 and was served on 27 April 2016; it applies in provisional form until 11 October 2016.
- 1.6 The required minimum period for representations by interested parties in respect of this Tree Preservation Order expired on 27 May 2016. No representations have been received.

2 Background and Statement of Reasons

2.1 The Council's solicitor is satisfied that the Council has complied with the legislative requirements with regards to notifying adjoining owners/occupiers.

2.2 At the time of the application for a replacement house in 2012 the owner gave an impression of wishing to retain the landscaping and tree protection measures were put in place during the construction. There has since been significant felling of mature trees at the rear of the site that has removed screening and severely damaged the amenity of the locality. The owner has verbally indicated an intention to remove further trees including a prominent willow at the front boundary of the site adjacent to the highway.

... 2.3 An accurately plotted plan of the trees is shown at Appendix 2.

... 2.4 The assessments completed by the County Tree Officer are attached to this report as Appendix 1.

2.5 They conclude that all the trees are worthy of protection.

3 Report Implications

3.1 Legal and Human Rights Implications

3.1.1 The owners of the land have been given the opportunity to make representations to the Council before the Order is confirmed as being permanent. Following a response from the owners of the land they are aware that a tree preservation order is recommended by the tree officer to be permanent.

The Contact Officer for this report is Christina Fortune (719481)

BACKGROUND PAPERS

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000
Section 97

Planning Application No: PAP/2015/0739

Background Paper No	Author	Nature of Background Paper	Date
1	Warwickshire County Council Forestry Officer	TEMPO Assessment and Plan	29 February 2016
2	NWBC Principal Solicitor	Confirmation that no representations have been received	3 June 2016

Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.

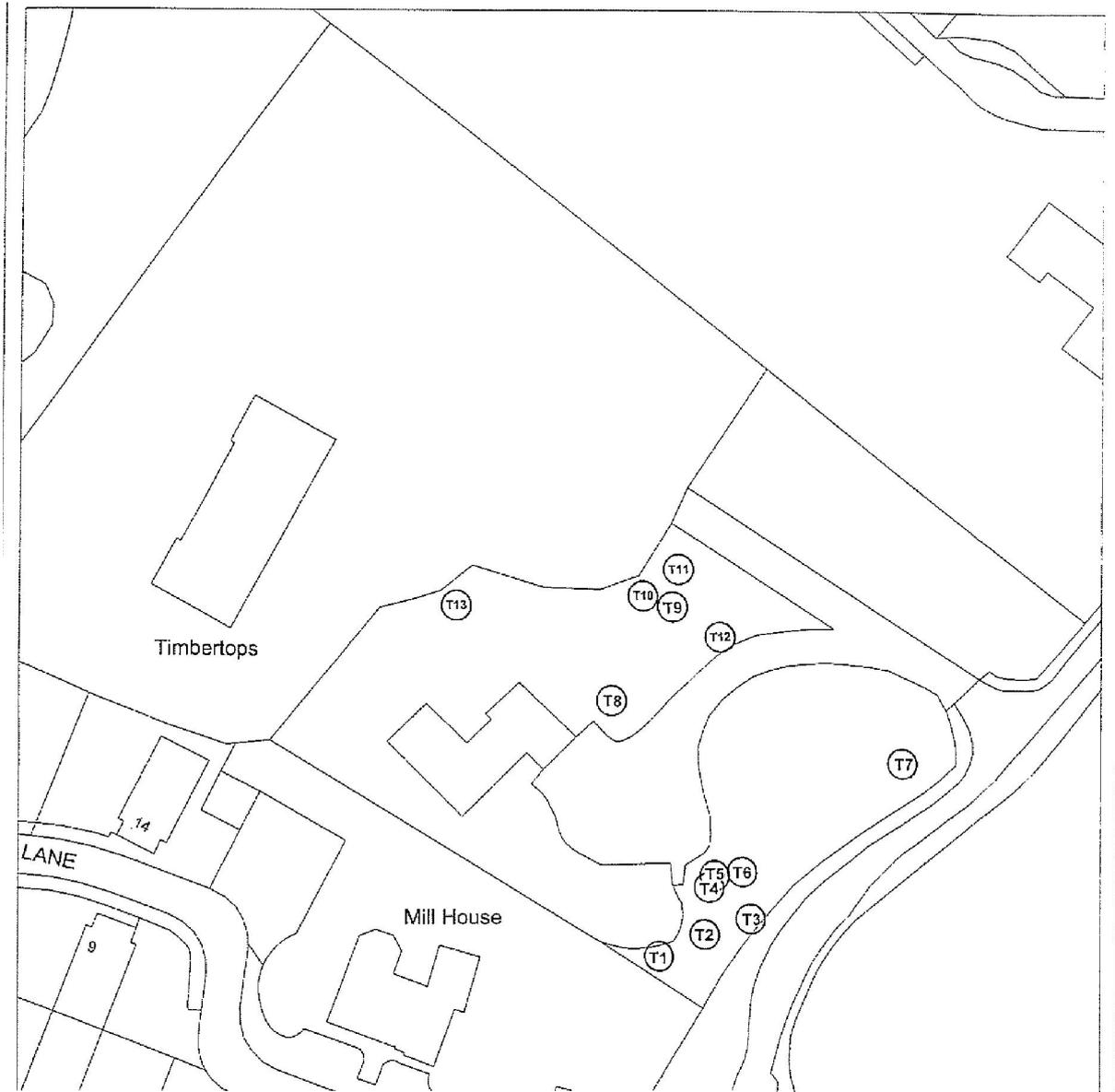
APPENDIX 1: TEMPO ASSESSMENT

Date of Site Visit: 29 February 2016

TEMPO Assessment Table, Hill Top House (Timbertops), Mill Lane, Fillongley

TPO Tree Reference	Tree Number	Species	Condition and suitability	Retention Span (in years) and suitability for TPO	Relative public visibility and suitability for TPO	Other Factors (must have accrued 7 points or more)	Expediency assessment	Total Points	Decision - protect yes or no
T1	1J8G	Weeping willow. <i>Salix alba</i>	5) Good	4) 40-100	4) large trees, or medium trees clearly visible to the public	1) trees with none of the above additional redeeming features (inc those of indifferent form)	5) immediate threat to tree	19	Yes
T2	1J8Y	Blue Atlantic cedar. <i>Cedrus atlantica</i> var. <i>glauca</i>	5) Good	5) 100+	4) large trees, or medium trees clearly visible to the public	4) tree groups, or members of groups important for their cohesion	5) immediate threat to tree	23	Yes
T3	1J8Z	Birch. <i>Betula pendula</i>	5) Good	4) 40-100	4) large trees, or medium trees clearly visible to the public	1) trees with none of the above additional redeeming features (inc those of indifferent form)	5) immediate threat to tree	19	Yes
T4	1J90	Birch. <i>Betula pendula</i>	5) Good	4) 40-100	4) large trees, or medium trees clearly visible to the public	4) tree groups, or members of groups important for their cohesion	5) immediate threat to tree	22	Yes
T5	1J91	Birch. <i>Betula pendula</i>	5) Good	4) 40-100	4) large trees, or medium trees clearly visible to the public	4) tree groups, or members of groups important for their cohesion	5) immediate threat to tree	22	Yes
T6	1J92	Birch. <i>Betula pendula</i>	5) Good	4) 40-100	4) large trees, or medium trees clearly visible to the public	4) tree groups, or members of groups important for their cohesion	5) immediate threat to tree	22	Yes
T7	1J93	Crack Willow. <i>Salix fragilis</i>	5) Good	4) 40-100	4) large trees, or medium trees clearly visible to the public	1) trees with none of the above additional redeeming features (inc those of indifferent form)	5) immediate threat to tree	19	Yes
T8	1J94	Bird Cherry <i>Prunus padus</i>	5) Good	4) 40-100	4) large trees, or medium trees clearly visible to the public	1) trees with none of the above additional redeeming features (inc those of indifferent form)	5) immediate threat to tree	22	Yes
T9	1J95	Birch. <i>Betula pendula</i>	5) Good	4) 40-100	4) large trees, or medium trees clearly visible to the public	4) tree groups, or members of groups important for their cohesion	5) immediate threat to tree	22	Yes
T10	1J96	Birch. <i>Betula pendula</i>	5) Good	4) 40-100	4) large trees, or medium trees clearly visible to the public	4) tree groups, or members of groups important for their cohesion	5) immediate threat to tree	22	Yes
T11	1J97	Birch. <i>Betula pendula</i>	5) Good	4) 40-100	4) large trees, or medium trees clearly visible to the public	4) tree groups, or members of groups important for their cohesion	5) immediate threat to tree	22	Yes
T12	1J98	Leyland Cypress. <i>Cupressocyparis leylandii</i>	5) Good	4) 40-100	4) large trees, or medium trees clearly visible to the public	1) trees with none of the above additional redeeming features (inc those of indifferent form)	5) immediate threat to tree	19	Yes
T13	1KR7	Horse Chestnut. <i>Aesculus hippocastanum</i>	5) Good	4) 40-100	4) large trees, or medium trees clearly visible to the public	4) tree groups, or members of groups important for their cohesion	5) immediate threat to tree	22	Yes

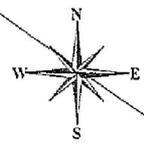
APPENDIX 2: LOCATION PLAN OF TREES



**Tree Preservation Order: Hill Top House (formerly Timbertops)
Mill Lane
Fillongley**

T1 – Weeping Willow, T2 – Blue Atlantic Cedar, T3 to T6 and T9 to T11 – Birch,
T7 – Crack Willow, T8 – Bird Cherry, T12 – Leland Cypress and T13 – Horse Chestnut

Scale: 1:750	Date: 29.02.16	File No: 713.024/6	Drawn By: J.S.
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North Warwickshire Borough Council
Office of The Chief Executive

The Council House
South Street
Atherstone
Warwickshire CV9 1DE

Telephone (01827) 715341

Development Control

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